

# Jack Harter Helicopters

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## FAX TRANSMITTAL

TO: NTSB  
ATTN: Deepak Joshi  
PHONE:  
FAX: 202-314-6349

FROM: Casey Riemer  
DATE: February 23, 2005  
PAGES: 3  
RE: NPRM Comment

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Dear Mr. Joshi,

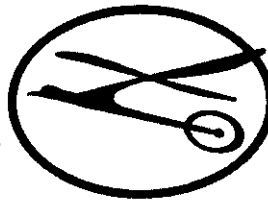
I have sent my comment to you my FedEx today. I am also submitting my comment by way of this fax because I am not sure that the hard copy will arrive before the deadline.

Sincerely,



Casey Riemer  
Jack Harter Helicopters

# Jack Harter Helicopters



February 22, 2005

Mr. Deepak Joshi  
Lead Aerospace Engineer (Structures)  
National Transportation Safety Board  
490 L'Enfant Plaza, SW  
Washington, DC 20594

Re: Notice of Proposed Rulemaking to 49 CFR Part 830

Dear Sir,

It is our position that the proposed changes to 49 CFR PART 830 – Notification and Reporting of Aircraft Accidents or Incidents and Overdue Aircraft, and Preservation of Aircraft Wreckage, Mail, Cargo, and Records, would have a significant and negative impact on the helicopter industry and should not be incorporated into the NTSB regulations. We take special interest in the change of the definition of “substantial damage” with regards to removing the exclusionary reference to ground damage to helicopter rotor blades.

Our understanding of the current regulations (830.5) would require that we notify the NTSB immediately that we have had an *incident* when we have failures or malfunctions to a flight control systems on our helicopters. It is also our understanding that our rotors (main and tail) are part of our flight control systems. Therefore, if we were to incur damage to a rotor by ground damage, we would be required to notify the NTSB immediately after the event. Part 830.10 requires that we preserve the “wreckage” until the NTSB takes control of the “wreckage”.

The proposed changes to the regulations would change the classification of these types of events from incidents to accidents and would cause far-reaching economic impacts to our company and pilots. We understand that the NTSB intent is to, “...*enhance aviation safety by providing the NTSB direct notification of these events so that we can investigate and take corrective actions in a timely manner.*” It is our contention that this notification is already required and the NTSB can investigate and take corrective actions in a timely manner.

We understand that the NTSB has limited financial and manpower resources. The proposed changes will place greater demands upon these already limited assets. Most rotor ground strikes do not have fatalities associated with them. Most non-fatal accidents do not meet the requirements to launch a field investigation. Thus, changing the occurrences of rotor ground strikes from incidents to accidents will have no benefit to the understanding and propagation of aviation safety.

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We do not see any evidence in the NPRM that an Economic Analysis (EA) of this proposed rule has been accomplished. The "Economic Analysis of Federal Regulations Under Executive Order 12866" requires that an EA be completed and such analyses usually investigate the costs that the proposed regulations will impose upon the affected operators, manufacturers, pilots, and the entire helicopter industry. EAs also study the benefits to society and alternate approaches of achieving the desired results of the proposed changes. If the Economic Analysis part of this rulemaking process has not been undertaken, then the NTSB is not in compliance with the regulations governing the process and it must be halted immediately.

In closing, I would like to state that the proposed changes will have tremendous effects on the helicopter industry and none of them are positive. The current regulations are sufficient and the changes will only increase the workload for the already overworked and understaffed investigators within the NTSB. The lack of the required Economic Assessment by itself should cause the NTSB to terminate the rulemaking process.

Sincerely,

A handwritten signature in black ink that reads "Casey Riemer". The signature is written in a cursive, flowing style.

Casey Riemer  
General Manager